

# OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**

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## OPINION 558

Rejection for nomenclatorial purposes of the work  
entitled *Testacea Minuta Rariora* by William Boys as  
augmented by George Walker published in 1784



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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

## COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 558

### A. The Officers of the Commission

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*Vice-President* : Senhor Dr. Afranio do AMARAL (*Sao Paulo, Brazil*) (12th August 1953)

*Secretary* : Mr. Francis HEMMING (*London, England*) (27th July 1948)

### B. The Members of the Commission

*(Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology)*

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Senor Dr. Angel CABRERA (*La Plata, Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950)

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Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*) (29th October 1954)

Doc. Dr. Ferdinand PRANTL (*Národní Museum V Praze, Prague, Czechoslovakia*) (30th October 1954)

Professor Dr. Wilhelm KÜHNELT (*Zoologisches Institut der Universität, Vienna, Austria*) (6th November 1954)

Professor F. S. BODENHEIMER (*The Hebrew University, Jerusalem, Israel*) (11th November 1954)

Professor Ernst MAYR (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*) (16th December 1954)

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK ENTITLED "TESTACEA MINUTA RARIORA" BY WILLIAM BOYS AS AUGMENTED BY GEORGE WALKER PUBLISHED IN 1784

**RULING** :—(1) It is hereby ruled (a) that in the work entitled "Testacea Minuta Rariora" published in London in 1784 the joint authors William Boys and George Walker did not apply the principles of binominal nomenclature and therefore (b) that no name published in this work acquired thereby the status of availability.

(2) The title of the under-mentioned work is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* (a) endorsed as specified in (1) above and (b) with the Title Number 62 :—

Boys (W.) & Walker (G.), [1784], *Testacea Minuta Rariora* . . . , London.

I. THE STATEMENT OF THE CASE

On 16th February 1957, Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen*) submitted an application for a Ruling by the Commission that the work by William Boys and George Walker published in London in 1784 under the title "*Testacea Minuta Rariora*" was not available for the purposes of zoological nomenclature, the above authors not having applied the principles of binominal nomenclature. The need for a Ruling on this subject had then recently come to light in the course of the investigation of the problems involved in connection with the name *Bulla obtusa* Montagu, 1803, a case on which also Dr. Lemche had submitted an application to the Commission<sup>1</sup>. The application submitted in the present case was as follows :—

Proposal to place on the "Official Index of Rejected and Invalid Works in Zoological Nomenclature" the booklet "*Testacea Minuta Rariora*" by William Boys, as augmented by Geo. Walker, London, [1784]

By HENNING LEMCHE  
(*Universitetets Zoologiske Museum, Copenhagen*)

During the work with an application now before the International Commission on Zoological Nomenclature concerning the name of the tectibranch gastropod *Bulla obtusa* Mtg., my investigation brought me to the publication entitled "Testacea Minuta Rariora—etc." or, in its full English version given immediately below the Latin one, "A Collection of the Minute and Rare Shells, lately discovered in the Sand of the Sea Shore near Sandwich; by William Boys, Esq.; F.S.A. Considerably augmented, and all their Figures accurately drawn, as magnified with the Microscope. By Geo. Walker, Bookseller, at Faversham, London". No indication of the year of publication is to be found in that work, but Engelmann (*Bibliotheca historico-naturalis* 1 : 453) gives the year as (1784), which is the year generally accepted

<sup>1</sup> Since the preparation of the present *Opinion* a decision has been taken by the Commission on Dr. Lemche's application regarding the name *Bulla obtusa* Montfort, 1803. This decision has been embodied in *Opinion* 568, which will shortly be published as Part 35 of the present Volume.

for the said publication. As the booklet is sometimes used for references of zoological names and is non-binominal, it would seem advisable to obtain a Ruling from the International Commission that the names therein are nomenclatorially invalid.

2. Concerning the authorship, it may be mentioned that Boys seems hardly to have done more than discovered the small shells in the sand, handing several samples over to Walker, who sorted them, together with examples comprised in several more samples collected from time to time by himself. Walker had the drawings published and, in close co-operation with Edward Jacobs, produced the text for which Walker, therefore, would seem to be responsible.

3. In the introduction, it is stated that (: V) "the assigning adequate trivial names to the shells, except in a few instances, hath been omitted, through the fear of giving such as might in any way interfere with those already given by Linnaeus—". The "few instances" in which adequate trivial names are given, are the few cases where a determination to species of Linnaeus or some other author is given in small type below the description, but no new names are thereby introduced. The main text is drawn up in the old polyverbal descriptive way, as will appear from the citations given below.

(page 2, lower part)

FIG. 6

SERPULA (*Lagena*) striata sulcata rotunda.  
The round striated and furrowed Flask Wormshell,  
The colour whitish, transparent and glossy,  
From Sandwich, Reculver, and Sheppey—very rare.

FIG. 7

SERPULA (*Lagena*) marginata.  
The bordered Flask Wormshell,  
The colour white, transparent and glossy,  
From Reculver—very rare.

(page 3, below middle)

FIG. 10

SERPULA (*Retorta*) rotunda margine cervice curvatim exerto.  
The marginated Retort Wormshell,  
The colour white and opaque,  
From Sandwich—not common.

4. As shown above, there cannot be any doubt that the booklet as such is non-binominal in its nomenclature. A few of the names, however, might perhaps by someone be taken to represent binomina or trinomina. It appears desirable once and for evermore to do away with the booklet for nomenclatorial purposes, by placing its title on the *Official Index*.

5. Therefore, I now propose to the International Commission on Zoological Nomenclature that it should place the booklet by William Boys and George Walker entitled the "Testacea Minuta Rariora", [1784] on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*.

## II. THE SUBSEQUENT HISTORY OF THE CASE

**2. Registration of the present application :** Upon the receipt of Dr. Lemche's application, the question of the status to be accorded to the work by Boys & Walker published in London in 1784 under the title "Testacea Minuta Rariora" was allotted the Registered Number Z.N.(S.) 1205.

**3. Publication of the present application :** The present application was sent to the printer on 18th February 1957 and was published on 28th June of the same year in Part 7 of Volume 13 of the *Bulletin of Zoological Nomenclature* (Lemche, 1957, *Bull. zool. Nomencl.* 13 : 228-229).

**4. Support received from Arthur N. Dusenbury, Jr. :** On 4th August 1957, Mr. Arthur N. Dusenbury, Jr. (*Creole Petroleum Corporation, Jusepin, Monagas, Venezuela*) addressed a letter to the Office of the Commission in support of the present application. The communication so received was as follows (Dusenbury, 1957, *Bull. zool. Nomencl.* 13 : 320) :—

I wish to support the proposal by Dr. Henning Lemche to reject the publication of William Boys and George Walker [1784] entitled "Testacea minuta rariora, nuperrime detecta in arena littoris Sandvicensis (A Collection of the Minute and Rare Shells, lately discovered in the Sand of the Sea Shore near Sandwich)". The nomenclature used in this booklet is clearly binary but not binominal. It could thus be considered valid up until 1948 but not thereafter.

The three polyverbal names cited by Dr. Lemche as evidence of the non-binominal character of the nomenclature were applied by Boys & Walker to shells which they apparently considered to be the calcareous tubes of the annelid worm *Serpula* Linnaeus, 1758. At present, all three shells are placed in the Phylum Protozoa, Class Rhizopoda, Order Foraminifera.

In addition to the three species mentioned by Dr. Lemche, Boys & Walker described in this same booklet three other polyverbal species of "*Serpula*", and seven polyverbal species of "*Nautilus*", all of them actually species of Foraminifera. These names were all replaced by acceptable binominal names, provided, like the three mentioned first, by Walker and Jacob, (1798). The rejection of the publication of Boys and Walker [1784] should thus cause no difficulties of importance in foraminiferal nomenclature.

**5. No Objection Received :** No objection to the action proposed in the present case was received from any source.

## III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

**6. Issue of Voting Paper V.P.(57)75 :** On 30th December 1957, a Voting Paper (V.P.(57)75) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the work "Testacea Minuta Rariora", [1784], of Boys & Walker as set out in paragraph 5 on page 229 of Volume 13 of the *Bulletin of Zoological Nomenclature*" [i.e. in the Points numbered as above in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

**7. The Prescribed Voting Period :** As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 30th March 1958.

**8. Particulars of the Voting on Voting Paper V.P.(57)75 :** At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(57)75 was as follows :—

- (a) *Affirmative Votes had been given by the following twenty-two (22) Commissioners (arranged in the order in which Votes were received) :*  
 Holthuis ; Mayr ; Boschma ; Hering ; Mertens ; Prantl ; Vokes ;  
 Lemche ; do Amaral ; Bonnet ; Dymond ; Jaczewski ; Hankó ;  
 Bodenheimer ; Key ; Bradley (J.C.) ; Hemming ; Sylvester-Bradley ;  
 Stoll ; Tortonese ; Kühnelt ; Riley ;
- (b) *Negative Votes :*  
 None ;
- (c) *On Leave of Absence, one (1) :*  
 Miller ;
- (d) *Voting Papers not returned, one (1) :*  
 Cabrera.

**9. Declaration of Result of Vote :** On 31st March 1958, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(57)75, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

**10. Preparation of the Ruling given in the present “ Opinion ” :** On 25th May 1958, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(57)75.

**11. Compliance with Prescribed Procedures :** The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

**12. “ Opinion ” Number :** The present *Opinion* shall be known as *Opinion* Five Hundred and Fifty-Eight (558) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fifth day of May, Nineteen Hundred and Fifty-Eight.

*Secretary to the International Commission  
 on Zoological Nomenclature*

**FRANCIS HEMMING**